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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR DUCHESNE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL }
DETERMINATION OF ALL THE } ORDER
RIGHTS TO THE USE OF WATER, }
BOTH SURFACE AND UNDERGROUND, }
WITHIN THE DRAINAGE AREA OF } No. 3070
THE UINTA BASIN IN UTAH. }

Pursuant to the Motion of the State Engineer dated May 6, 1977, requesting that the water of the Duchesne River System be distributed on the basis of a three acre foot delivery schedule for the 1977 irrigation season, and good cause appearing therefore, it is hereby

ORDERED that the waters of the Duchesne River System be distributed to all irrigation users for the 1977 irrigation season in accordance with the following duty schedule:

| Interval | | Duty | | Delivery | |
|--------------|------|----------|-----------|------------|--------------|
| Date | Days | cfs/acre | ac-ft/day | ac-ft/int. | accum. ac-ft |
| 4/15 - 4/25 | 11 | 1/300 | 0.0066 | 0.0726 | 0.0726 |
| 4/26 - 5/5 | 10 | 1/200 | 0.0100 | 0.1000 | 0.1726 |
| 5/6 - 5/15 | 10 | 1/125 | 0.0160 | 0.1600 | 0.3326 |
| 5/16 - 5/26 | 11 | 1/95 | 0.0210 | 0.2310 | 0.5636 |
| 5/27 - 6/5 | 10 | 1/70 | 0.0285 | 0.2850 | 0.8486 |
| 6/6 - 6/16 | 11 | 1/80 | 0.0250 | 0.2750 | 1.1236 |
| 5/17 - 6/26 | 10 | 1/85 | 0.0235 | 0.2352 | 1.3588 |
| 6/27 - 7/7 | 11 | 1/90 | 0.0222 | 0.2442 | 1.6030 |
| 7/8 - 7/17 | 10 | 1/95 | 0.0210 | 0.2100 | 1.8130 |
| 7/18 - 7/28 | 11 | 1/100 | 0.0200 | 0.2200 | 2.0330 |
| 7/29 - 8/7 | 10 | 1/110 | 0.0181 | 0.1818 | 2.2148 |
| 8/8 - 8/18 | 11 | 1/120 | 0.0166 | 0.1832 | 2.3980 |
| 8/19 - 8/28 | 10 | 1/125 | 0.0160 | 0.1600 | 2.5580 |
| 8/29 - 9/8 | 11 | 1/150 | 0.0133 | 0.1466 | 2.7046 |
| 9/9 - 9/19 | 11 | 1/160 | 0.0125 | 0.1375 | 2.8421 |
| 9/20 - 9/29 | 10 | 1/200 | 0.0100 | 0.1000 | 2.9421 |
| 9/30 - 10/15 | 16 | 1/300 | 0.0066 | 0.1056 | 3.0477 |

Water shall be delivered only to land that is actually being irrigated during the 1977 irrigation season, and water shall not be delivered on the basis of the flow set forth in applications, certificates or other documents evidencing water rights. It is the intention of this Court to limit irrigation uses to those where the water is actually being beneficially used. It is further

ORDERED that when the flow of the River decreases to the point where it will not supply all valid water rights in accordance with the three acre foot delivery schedule, the Water Commissioner is directed to curtail the use of water in inverse order of priority of rights, so that the latest priority rights will be denied the use of water first. The Water Commissioner is ordered and directed to take all steps necessary to assure that no wasteful practices are maintained. It is further

ORDERED that all water users shall install and maintain adequate measuring devices and control structures to allow the Water Commissioner to properly distribute the waters of the Duchesne River System.

This Order is made and entered without prejudice to the claims or assertions of any of the parties in any subsequent proceedings in this action, and does not constitute a final determination by this Court of duty of water from the Duchesne River System. Further, this Order is only to govern the distribution of water in the Duchesne River System for the 1977 irrigation season. However, if any user believes that he is suffering undue hardship in the terms of this Order, he may petition this Court to further hearing at any time, subject only to giving reasonable notice to all counsel involved.

Dated this 19th day of May, 1977.

Maurice Harding
DISTRICT JUDGE

CERTIFICATE OF MAILING

This is to certify that true and correct copies of the foregoing Order were mailed to the following listed attorneys this 20th day of May, 1977:

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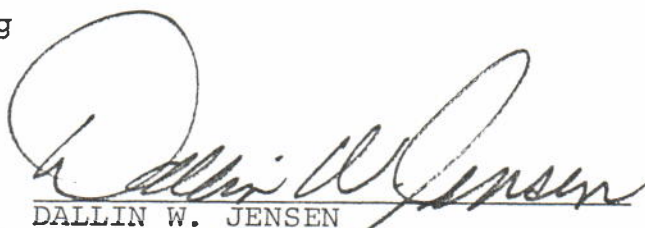
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